

## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: January 13, 2005 Name: Tadashi Horie Reg. No. 40,437 Signature: Tadashi Horie

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HOFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Hiroji SAITO et al.

Appln. No.: 09/889,841

Filed: July 20, 2001

For: INFORMATION DELIVERY SYSTEM,  
MOBILE COMMUNICATION TERMINAL  
AND INFORMATION DELIVERY METHOD

Examiner: BHATTACHARYA, Sam

Art Unit: 2687

Attorney Docket No: 9683/87

Mail Stop After Final  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

## TRANSMITTAL

## Attached is/are:

- ☒ Fifth Supplemental Information Disclosure Statement, Copy of Japanese Office Action, Form PTO-1449, 16 Cited References (F2-17), Check for \$180
- ☒ Return Receipt Postcard

## Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$ \_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☒ A petition or processing fee in an amount of \$180 under 37 C.F.R. § 1.17(p).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

## Fee payment:

- ☒ A check in the amount of \$180 is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$ \_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$ \_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

January 13, 2005  
Date

Tadashi Horie  
Tadashi Horie (Reg. No. 40,437)



2687  
\$

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January 13, 2005

Date of Deposit

Tadashi Horie Reg. No. 40,437

Name of Applicant, Assignee or  
Registered Representative

*Tadashi Horie*

Signature

January 13, 2005

Date of Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Hiroji SAITO  
Tatsuji NAGAOKA  
Tomoko MATSUURA  
Mariko WAKAIZUMI

Appln. No.: 09/889,841

Filed: July 20, 2001

For: INFORMATION DELIVERY SYSTEM,  
MOBILE COMMUNICATION TERMINAL  
AND INFORMATION DELIVERY METHOD

Attorney Docket No: 9683/87

Examiner: BHATTACHARYA, Sam

Art Unit: 2687

**FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(d), Applicants hereby cite the following references:

U.S. DOCUMENT NUMBER Number-Kind Code (if known)	DATE	NAME
5,504,933	04/02/1996	Saito

FOREIGN DOCUMENT NUMBER Number-Kind Code (if known)	DATE	COUNTRY
H10-051404	02/20/1998	Japan
H10-276311	10/13/1998	Japan

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H11-112651	04/23/1999	Japan
H05-115063	05/07/1993	Japan
H05-235877	09/10/1993	Japan
H06-098323	04/08/1994	Japan
H06-141004	05/20/1994	Japan
H06-152501	05/31/1994	Japan
H08-097854	04/12/1996	Japan
H08-186548	07/16/1996	Japan
H08-242213	09/17/1996	Japan
H08-289348	11/01/1996	Japan
H08-307921	11/22/1996	Japan
H09-205636	08/05/1997	Japan
WO 98/10580	03/12/1998	WIPO
EP 0 731 572 A2	09/11/1996	EPO

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). References F2-16 were cited in an Office Action issued in the counterpart Japanese application. A copy of the Office Action is attached to this Statement. References F2-16 are all in Japanese. For each of references F2-7, 9-11 and 13-16, Applicants are submitting an English abstract. For reference F8, Applicants are submitting reference F1, which is the U.S. counterpart of reference F8. For reference F12, Applicants are submitting reference F17, which is the EP counterpart of reference F12.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

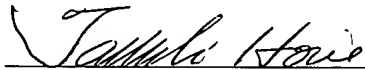
The Japanese Office Action was mailed to Applicants on October 19, 2004. Pursuant to 37 C.F.R. §1.97(e)(2), Applicants certify that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement. Applicants have also calculated a processing fee in the amount of

\$180.00 to be due under 37 C.F.R. §1.17(p) in connection with the filing of this Statement. Applicants have enclosed a check covering this fee, or authorized charging the fee to a deposit account or credit card, as indicated in the Transmittal accompanying this Statement.

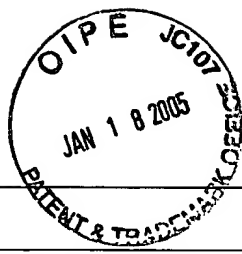
Respectfully submitted,

January 13, 2005

Date



Tadashi Horie (Reg. No. 40,437)



FORM PTO-1449	SERIAL NO. 09/889,841	CASE NO. 9683/87
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>	FILING DATE July 20, 2001	GROUP ART UNIT 2687
(use several sheets if necessary)		APPLICANT(S): Hiroji SAITO et al.

#### REFERENCE DESIGNATION

#### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	F1	5,504,933	04/02/1996	Saito		
	F					
	F					
	F					

#### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	F2	H10-051404	02/20/1998	Japan		Abstract
	F3	H10-276311	10/13/1998	Japan		Abstract
	F4	H11-112651	04/23/1999	Japan		Abstract
	F5	H05-115063	05/07/1993	Japan		Abstract
	F6	H05-235877	09/10/1993	Japan		Abstract
	F7	H06-098323	04/08/1994	Japan		Abstract
	F8	H06-141004	05/20/1994	Japan		US 5,504,933
	F9	H06-152501	05/31/1994	Japan		Abstract
	F10	H08-097854	04/12/1996	Japan		Abstract
	F11	H08-186548	07/16/1996	Japan		Abstract
	F12	H08-242213	09/17/1996	Japan		EP 0 731 572
	F13	H08-289348	11/01/1996	Japan		Abstract
	F14	H08-307921	11/22/1996	Japan		Abstract
	F15	H09-205636	08/05/1997	Japan		Abstract
	F16	WO 98/10580	03/12/1998	WIPO		Abstract
	F17	EP 0 731 572 A2	09/11/1996	EPO		
	F					
	F					

EXAMINER INITIAL	OTHER ART - NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)</small>	
	F	
	F	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.